

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 536 be amended to read as follows:

- 1 Page 1, between lines 16 and 17, begin a new line block indented
- 2 and insert:
- 3 **"(1) One percent (1%) of money in the fund annually shall be**
- 4 **transferred to the state general fund to replace revenue lost as**
- 5 **the result of life long learning credits granted under**
- 6 **IC 6-3.1-29 plus any administrative fees retained by the**
- 7 **department of workforce development under**
- 8 **IC 6-3.1-29-21(e)."**
- 9 Page 1, line 17, delete "(1)" and insert "(2)".
- 10 Page 2, between lines 1 and 2, begin a new line block indented and
- 11 insert:
- 12 **"(3) Four hundred fifty thousand dollars (\$450,000) shall be**
- 13 **allocated annually for training and counseling assistance**
- 14 **described in IC 22-4-10.5-7(b)."**
- 15 Page 2, line 2, delete "(2)" and insert "(4)".
- 16 Page 8, line 21, delete "IC 22-4-24.5-1(c)" and insert
- 17 **"IC 5-28-27-3(b)(1)".**
- 18 Page 9, line 5, delete "IC 22-4-24.5-1(c)" and insert
- 19 **"IC 5-28-27-3(b)(1)".**
- 20 Page 10, line 2, reset in roman "(a)".
- 21 Page 10, line 7, reset in roman "(b)".
- 22 Page 10, line 8, before "department" delete "the" and insert "The".
- 23 Page 10, line 8, reset in roman "department annually shall".
- 24 Page 10, line 8, after "first" insert **"allocate"**.
- 25 Page 10, line 8, reset in roman "four hundred fifty".

- 1 Page 10, reset in roman line 9.
- 2 Page 10, line 10, reset in roman "the department under this chapter".
- 3 Page 10, line 11, reset in roman "for".
- 4 Page 10, line 11, reset in roman "training and".
- 5 Page 10, line 11, after "and" insert "**counseling assistance for**
- 6 **individuals who:**
- 7 **(1) are:**
- 8 **(A) members of a minority group (as defined in**
- 9 **4-13-16.5-1); or**
- 10 **(B) women;**
- 11 **(2) have been unemployed for at least four (4) weeks; and**
- 12 **(3) are not otherwise eligible for training and counseling**
- 13 **assistance under any other program.**
- 14 **Training and counseling assistance described in this subsection**
- 15 **may include training and".**
- 16 Page 10, reset in roman line 12.
- 17 Page 10, delete lines 13 through 42.
- 18 Page 11, delete lines 1 through 40.
- 19 Page 11, between lines 40 and 41, begin a new paragraph and insert:
- 20 "SECTION 6. IC 22-4-25-1 IS AMENDED TO READ AS
- 21 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) There is
- 22 created in the state treasury a special fund to be known as the special
- 23 employment and training services fund. All interest on delinquent
- 24 contributions and penalties collected under this article, together with
- 25 any voluntary contributions tendered as a contribution to this fund, ~~and~~
- 26 ~~amounts deposited as required by IC 22-4-10.5-7(b);~~ shall be paid into
- 27 this fund. The money shall not be expended or available for expenditure
- 28 in any manner which would permit their substitution for (or a
- 29 corresponding reduction in) federal funds which would in the absence
- 30 of said money be available to finance expenditures for the
- 31 administration of this article, but nothing in this section shall prevent
- 32 said money from being used as a revolving fund to cover expenditures
- 33 necessary and proper under the law for which federal funds have been
- 34 duly requested but not yet received, subject to the charging of such
- 35 expenditures against such funds when received. The money in this fund
- 36 shall be used by the board for the payment of refunds of interest on
- 37 delinquent contributions and penalties so collected, for the payment of
- 38 costs of administration which are found not to have been properly and
- 39 validly chargeable against federal grants or other funds received for or
- 40 in the employment and training services administration fund, on and
- 41 after July 1, 1945. Such money shall be available either to satisfy the
- 42 obligations incurred by the board directly, or by transfer by the board
- 43 of the required amount from the special employment and training
- 44 services fund to the employment and training services administration
- 45 fund. No expenditure of this fund shall be made unless and until the
- 46 board finds that no other funds are available or can properly be used to
- 47 finance such expenditures, except that expenditures from said fund may

1 be made for the purpose of acquiring lands and buildings or for the  
2 erection of buildings on lands so acquired which are deemed necessary  
3 by the board for the proper administration of this article. The board  
4 shall order the transfer of such funds or the payment of any such  
5 obligation or expenditure and such funds shall be paid by the treasurer  
6 of state on requisition drawn by the board directing the auditor of state  
7 to issue the auditor's warrant therefor. Any such warrant shall be drawn  
8 by the state auditor based upon vouchers certified by the board or the  
9 commissioner. The money in this fund is hereby specifically made  
10 available to replace within a reasonable time any money received by  
11 this state pursuant to 42 U.S.C. 502, as amended, which, because of any  
12 action or contingency, has been lost or has been expended for purposes  
13 other than or in amounts in excess of those approved by the bureau of  
14 employment security. The money in this fund shall be continuously  
15 available to the board for expenditures in accordance with the  
16 provisions of this section and shall not lapse at any time or be  
17 transferred to any other fund, except as provided in this article. Nothing  
18 in this section shall be construed to limit, alter, or amend the liability of  
19 the state assumed and created by IC 22-4-28, or to change the  
20 procedure prescribed in IC 22-4-28 for the satisfaction of such liability,  
21 except to the extent that such liability may be satisfied by and out of the  
22 funds of such special employment and training services fund created by  
23 this section.

24 (b) The board, subject to the approval of the budget agency and  
25 governor, is authorized and empowered to use all or any part of the  
26 funds in the special employment and training services fund for the  
27 purpose of acquiring suitable office space for the department by way of  
28 purchase, lease, contract, or in any part thereof to purchase land and  
29 erect thereon such buildings as the board determines necessary or to  
30 assist in financing the construction of any building erected by the state  
31 or any of its agencies wherein available space will be provided for the  
32 department under lease or contract between the department and the state  
33 or such other agency. The commissioner may transfer from the  
34 employment and training services administration fund to the special  
35 employment and training services fund amounts not exceeding funds  
36 specifically available to the commissioner for that purpose equivalent  
37 to the fair, reasonable rental value of any land and buildings acquired  
38 for its use until such time as the full amount of the purchase price of  
39 such land and buildings and such cost of repair and maintenance thereof  
40 as was expended from the special employment and training services  
41 fund has been returned to such fund.

42 (c) The board may also transfer from the employment and training  
43 services administration fund to the special employment and training  
44 services fund amounts not exceeding funds specifically available to the  
45 commissioner for that purpose equivalent to the fair, reasonable rental  
46 value of space used by the department in any building erected by the  
47 state or any of its agencies until such time as the department's

1 proportionate amount of the purchase price of such building and the  
2 department's proportionate amount of such cost of repair and  
3 maintenance thereof as was expended from the special employment and  
4 training services fund has been returned to such fund.

5 (d) Whenever the balance in the special employment and training  
6 services fund is deemed excessive by the board, the board shall order  
7 payment into the unemployment insurance benefit fund of the amount  
8 of the special employment and training services fund deemed to be  
9 excessive.

10 (e) Subject to the approval of the board, the commissioner may use  
11 not more than five million dollars (\$5,000,000) during a program year  
12 for training provided by the state educational institution established  
13 under IC 20-12-61 to participants in joint labor and management  
14 apprenticeship programs approved by the United States Department of  
15 Labor's Bureau of Apprenticeship Training. Of the money allocated for  
16 training programs under this subsection, fifty percent (50%) is  
17 designated for industrial programs, and the remaining fifty (50%)  
18 percent is designated for building trade programs.

19 (f) The commissioner shall allocate an amount not to exceed four  
20 hundred fifty thousand dollars (\$450,000) annually for training and  
21 counseling assistance under IC 22-4-14-2 provided by state educational  
22 institutions (as defined in IC 20-12-0.5-1) or counseling provided by  
23 the department of workforce development for individuals who:

- 24 (1) have been unemployed for at least four (4) weeks;  
25 (2) are not otherwise eligible for training and counseling  
26 assistance under any other program; and  
27 (3) are not participating in programs that duplicate those programs  
28 described in subsection (e).

29 Training or counseling provided under IC 22-4-14-2 does not excuse  
30 the claimant from complying with the requirements of IC 22-4-14-3.  
31 Eligibility for training and counseling assistance under this subsection  
32 shall not be determined until after the fourth week of eligibility for

1 unemployment training compensation benefits. The training and  
2 counseling assistance programs funded by this subsection must be  
3 approved by the United States Department of Labor's Bureau of  
4 Apprenticeship Training."

5 Renumber all SECTIONS consecutively.  
(Reference is to ESB 536 as printed March 25, 2005.)

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Representative Harris T